

SENATE SUBSTITUTE TO HB 1133

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 15-18-80 of the Official Code of Georgia Annotated, relating to
 2 policy and procedure for pretrial intervention and diversion programs, so as to increase the
 3 fees for the administration of the program; to provide for related matters; to repeal conflicting
 4 laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Code Section 15-18-80 of the Official Code of Georgia Annotated, relating to policy and
 7 procedure for pretrial intervention and diversion programs, is amended by revising
 8 subsections (c) and (f) as follows:
 9

10 "(c)(1) Entry into the program shall be at the discretion of the prosecuting attorney based
 11 upon written guidelines; provided, however, that any applicant denied admission to the
 12 program may petition the court for admission into such program after accusation or
 13 indictment."

14 "(2) The program shall not exceed 12 months or require in excess of 40 hours of community
 15 service for a misdemeanor and shall not exceed 18 months or require in excess of 60 hours
 16 of community service for a felony."

17 "(f) The prosecuting attorney shall be authorized to assess and collect from each offender
 18 who enters the program a fee not to exceed ~~\$300.00~~ \$500.00 which shall include any
 19 supervision fees for the administration of the program. Such fee may be waived in part or
 20 in whole or made payable in who enters the program a fee not to exceed ~~\$300.00~~ the
 21 amount normally collected as a fine and supervision fee if the underlying offense would
 22 have been prosecuted for the administration of the program; provided, however, that no
 23 such fee collected shall be in excess of \$1,000.00. Such fee may be waived in part or in
 24 whole or made payable in monthly increments upon a showing of good cause to the
 25 prosecuting attorney. Any fee collected under this subsection shall be made payable to the
 26 general fund of the political subdivision in which the case is being prosecuted."

27

SECTION 2.

28

All laws and parts of laws in conflict with this Act are repealed.